

**DEPARTMENT OF STATE****Bureau of Economic and Business Affairs**

[Public Notice 2869]

**Finding of No Significant Impact: Lakehead Pipe Line Company, Pipeline at Neche, North Dakota**

AGENCY: Department of State.

**ACTION:** Notice of a finding of no significant impact with regard to an application to construct, connect, operate and maintain a pipeline to transport crude oil and natural gas liquids across the U.S.-Canada border.

**SUMMARY:** The Department of State has conducted an environmental assessment of the proposed construction by Lakehead Pipe Line Company of an oil pipeline across the international boundary at Neche, North Dakota. Based on the environmental assessment, the Department of State has concluded that issuance of a Presidential Permit authorizing construction of the proposed pipeline will not have a significant effect on the human environment within the United States. In accordance with the National Environmental Policy Act, 42 U.S.C. Section 4321 et seq., Council on Environmental Quality Regulations, 40 CFR 1501.4 and 1508.13 and Department of State Regulations, 22 CFR 161.8(c), an environmental impact statement will not be prepared.

**FOR FURTHER INFORMATION ON THE PIPELINE PERMIT APPLICATION, CONTACT:** Daniel L. Martinez, Office of International Energy Policy, Room 3535, U.S. Department of State, Washington, DC 20520, (202) 647-4557.

**FOR FURTHER INFORMATION ON THE ENVIRONMENTAL ASSESSMENT, CONTACT:** Pam Pearson, Office of Ecology and Terrestrial Conservation, Room 4325, U.S. Department of State, Washington, DC 20520, (202) 647-1123.

**SUPPLEMENTARY INFORMATION:** Lakehead Pipe Line Company, Limited Partnership has applied for a Presidential Permit to authorize construction, connection, operation and maintenance of a 36 inch diameter pipeline to convey crude oil and natural gas liquids across the border with Canada at Neche, North Dakota. The proposed pipeline would be constructed in the same right of way presently occupied by four oil pipelines owned and operated by the same company. The existing pipelines are operating at full capacity and are unable to transport the volume of oil demanded by U.S. markets in the midwest. The purpose of

the proposed new pipeline is to eliminate this capacity constraint.

On April 21, 1998, the Department of State published a Notice of Application for a Presidential Permit in the **Federal Register**. No public comments were received and concerned agencies expressed no opposition to issuing the permit. The Department of State prepared an environmental assessment for the Pipeline Permit. Based on that assessment, the Department of State has concluded that issuance of the permit will not have a significant effect on the quality of the human environment within the United States. A finding of no significant impact is adopted, and an environmental impact statement will not be prepared.

Dated: July 23, 1998.

**Stuart E. Eizenstat,***Under Secretary of State for Economic, Business and Agricultural Affairs.*

[FR Doc. 98-22307 Filed 8-18-98; 8:45 am]

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**DEPARTMENT OF STATE**

[Public Notice 2870]

**Bureau of Economic and Business Affairs; National Interest Determination Concerning a Pipeline Operated on the Border of the United States at Neche, North Dakota by Lakehead Pipe Line Company**

Pursuant to the authority vested in me under Executive Order 11423 of August 16, 1968 as amended by Executive Order 12847 of May 17, 1993, and Department of State Delegation of Authority No. 118-1 of April 11, 1973, and subject to satisfaction of the requirements of sections 1(d) and 1(f) of the said Executive Order, I hereby determine that issuance of a permit to Lakehead Pipe Line Company, a Delaware limited partnership, to construct, connect, operate and maintain a pipeline for the transportation of crude oil and natural gas liquids across the international boundary between the United States and Canada near Neche, North Dakota would serve the national interest.

This determination shall become final fifteen days after the Secretaries of Defense, Treasury, Interior, Commerce, Transportation, the Attorney General, the Chairman of the Surface Transportation Board, and the Director of the Federal Emergency Management Agency has been notified of this proposed determination, unless the matter must be referred to the President for consideration and final decision

pursuant to section 1(f) of said Executive Order.

Dated: July 23, 1998.

**Stuart E. Eizenstat,***Under Secretary of State for Economic, Business and Agricultural Affairs.*

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**DEPARTMENT OF STATE**

[Public Notice 2868]

**Bureau of Oceans and International Environmental and Scientific Affairs; Certification Pursuant to Section 609 of Public Law 101-162**

**SUMMARY:** On July 21, 1998, the Department of State certified, pursuant to Section 609 of Public Law 101-162 ("Section 609"), that that Venezuela and Nigeria have adopted programs governing the incidental capture of sea turtles in their commercial shrimp fisheries comparable to the program in effect in the United States. Previously, on May 1, 1998, the Department certified that 15 other nations have adopted programs to reduce the incidental capture of sea turtles in their shrimp fisheries comparable to the program in effect in the United States. The Department of State also certified on May 1, 1998, that the fishing environments in 24 countries do not pose a threat of the incidental taking of sea turtles protected under Section 609. Shrimp imports from any nation not certified were prohibited effective May 1, 1998 pursuant to Section 609.

**EFFECTIVE DATE:** August 19, 1998.

**FOR FURTHER INFORMATION CONTACT:** William Gibbons-Fly, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State, Washington, DC 20520-7818; telephone: (202) 647-3940.

**SUPPLEMENTARY INFORMATION:** Section 609 of Public Law 101-162 prohibits imports of certain categories of shrimp unless the President certifies to the Congress not later than May 1 of each year either: (1) that the harvesting nation has adopted a program governing the incidental capture of sea turtles in its commercial shrimp fishery comparable to the program in effect in the United States and has an incidental take rate comparable to that of the United States; or (2) that the fishing environment in the harvesting nation does not pose a threat of the incidental taking of sea turtles. The President has delegated the authority to make this certification to the Department of State. Revised State Department guidelines for